

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re: : Chapter 11  
: :  
W.R. Grace & Co., et al., : Case No. 01-1139 (JKF)  
: : Jointly Administered  
Debtors. : :  
: Related Docket No. 26238  
: :  
: Hearing Date: February \_\_, 2011 @ \_\_:\_\_\_.m.  
: Response Deadline: February \_\_, 2011 @ \_\_:\_\_\_.m.

**MOTION FOR AN ORDER SHORTENING NOTICE WITH RESPECT TO  
PRECAUTIONARY MOTION FOR EXTENSION OF TIME TO FILE OBJECTIONS TO  
OR APPEAL FROM MEMORANDUM OPINION AND RECOMMENDED FINDINGS OF  
FACT AND CONCLUSIONS OF LAW OF BANKRUPTCY JUDGE**

AXA Belgium, as successor to Royale Belge SA (“AXA Belgium”) and the other moving parties listed in the signature block to this Motion (the “Movants”) moves this Court, pursuant to Rule 9006-1(e) of the Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for the District of Delaware (the “Local Rules”), for the entry of an order shortening the time for notice of the hearing to consider the Precautionary Motion for Extension of Time to File Objections to or Appeal From Memorandum Opinion and Recommended Findings of Fact and Conclusions of Law of Bankruptcy Judge filed by Movants (the “Precautionary Motion”) in order to allow the Precautionary Motion to be heard as soon as the Court deems appropriate. In support of this Motion, Movants respectfully represent as follows:

1. By Order dated January 31, 2011 this Court transmitted a Memorandum Opinion Regarding Objections to Confirmation of First Amended Joint Plan of Reorganization and Recommended Supplemental Findings of Fact and Conclusions of Law (Dkt. 26154) (the “Memorandum Opinion”) and Recommended Findings of Fact, Conclusions of Law and Order Regarding Confirmation of First Amended Joint Plan of Reorganization as Modified Through

December 23, 2010 (Dkt. No. 26155) (the “Recommended Findings”) to the United States District Court for the District of Delaware.

2. The Memorandum Opinion and Recommended Findings were served by Debtors on Movants on January 31, 2011.

3. Based on the language in the Memorandum Opinion and Recommended Findings (as outlined in the Precautionary Motion), Movants are uncertain as to whether they are required to file a notice of appeal under Bankruptcy Rule 8002(a) or objections under Bankruptcy Rule 9033(b).

4. The District Court has scheduled a status conference in this matter for Wednesday, February 16, 2011 at 10:00 a.m., two days after the deadline to file Objections under Rule 9033 or a Notice of Appeal under Rule 8002.

5. Concurrently with the filing of this Motion, Movants have filed the Precautionary Motion requesting this Court to extend, to the extent applicable: (a) the deadline under Rule 8002(c) to appeal from the Memorandum Opinion and Recommended Findings; (b) the deadline under Rule 9033(c) to object to the Memorandum Opinion and Recommended Findings; and (c) any other applicable deadline(s) for the filing of objections to the Memorandum Opinion and Recommended Findings.

6. Local Rule 9006-1(c) provides that unless the Federal Rules of Bankruptcy Procedure or the Local Rules state otherwise, all motion papers shall be filed and served at least 14 days (and an additional 3 days if service is by mail) prior to the hearing date and the deadline for objections shall be no later than 7 days before the hearing date.

7. Local Rule 9006-1(e) provides that the Court can shorten such notice period "by order of the Court, on written motion (served on all interested parties) specifying the exigencies justifying shortened notice."

8. The deadline to file a notice of appeal under Bankruptcy Rule 8002(a) or objections under Bankruptcy Rule 9033(b) is Monday, February 14, 2011.

9. Accordingly, Movants request that Court hear the Precautionary Motion prior to February 14, 2011 or grant ex parte relief extending the deadline to file a notice of appeal or objections to the Memorandum Opinion and Recommended Findings.

10. In light of the requested shortened notice period, Movants will serve the Precautionary Motion on all interested parties via email if possible and otherwise via ECF.

WHEREFORE, Movants respectfully request that this Court enter an order (i) granting the relief requested herein and (ii) granting such other and further relief as the Court deems just and proper.

February 10, 2011

Respectfully submitted,

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